



JAMES E. MCGREEVEY
GOVERNOR

STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

MARJORIE SCHWARTZ
ACTING COMMISSIONER

Merit System Board

**AGENDA OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD**

SEPTEMBER 8, 2004

**Marjorie Schwartz, Acting Chairwoman
Flavella Branham
John Currie
Margaret E.L. Howard
Robert J. Long**

DATE: July 30, 2004

TO: Ida L. Castro, Commissioner
Department of Personnel

FROM: Elizabeth Van Marter, Director
Human Resource Management

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF BANKING AND INSURANCE

The Department of Banking and Insurance requests the creation of a Trainee title for the Financial Examiner series.

The Trainee title will enable the Department to recruit and hire college graduates, and provide them with the experience necessary to progress to the entry level of this series. Recruitment at the entry level is somewhat difficult given the limited areas in which the required experience can be earned.

ESTABLISHMENT OF NEW TITLE

Effective: 07/24/04

Financial Examiner Trainee
P95-_____ Competitive X NE/12

DATE: August 12, 2004

TO: Merit System Board

FROM: Marjorie Schwartz
Assistant Commissioner
State and Local Operations

SUBJECT: N.J.S.A. 11A:3-4(h). Confidential Appointment

Department of Agriculture

Ms. Holly Chmil appointed as Confidential Assistant effective August 21, 2004, salary of \$63,000.00 per annum. The position is assigned to the Unclassified Service in accordance with N.J.S.A. 11A:3-4(h).

Verification has been made of the number of positions allocated and the number of persons holding Confidential Appointments in this agency and Secretary Kuperus is authorized to make the subject appointment.

Recommendation: Record appointment in the Unclassified Service in accordance with N.J.S.A. 11A:3-4(h).

The appointment of this Confidential Assistant does not exceed the entitlement authorized under N.J.S.A. 11A:3-4(h).

Replacing – Jayne D. Haussler

Vacant Position Number – 008745
Effective Date – 04/17/04

WITHDRAWAL OF APPEALS

RECOMMENDATION: The following appeals be removed from the hearing calendar and considered closed.

The following appellants, who have been granted a hearing, wish to withdraw their appeals:

Diana Alvarado, Judiciary Clerk 2, Department of Judiciary, release at the end of the working test period.

Betty Hetherington, Clerk Typist, Department of Public Affairs and Safety, Borough of Beach Haven, good faith layoff.

Bazelais Jean-Pierre, Food Service Worker, Department of Health, County of Bergen, suspension.

Chukwuemeka Iheukwumere, Employment Specialist, County of Essex, removal.

Sean Malone, County Correction Officer, Department of Public Safety, County of Union, suspension.

Milton Medina, Police Lieutenant, Police Department, City of Newark, removal.

Brian Middleton, County Correction Officer, Department of Corrections, County of Camden, two suspensions.

Saundra Singleton, County Correction Officer, Department of Public Safety, County of Mercer, suspension.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

RECOMMENDATION: The following cases be dismissed without prejudice.

The following appellants failed to appear at the scheduled hearing before the Office of Administrative Law and have not submitted an explanation for their failure to appear:

John Barte, Custodial Worker, Newark School District, resignation not in good standing.

Ralph Bass, Custodial Worker, Newark School District, suspension.

Lazelle Betts, Human Services Assistant, New Lisbon Developmental Center, Department of Human Service, resignation not in good standing.

Jesse Bigham, Clerk Typist, Division of Medical Assistance and Health Services, Department of Human Services, release at the end of the working test period.

William Clark, Juvenile Detention Officer, Department of Citizen Services, County of Essex, indefinite suspension.

Misael Nunez, Residential Services Worker, Woodbine Developmental Center, Department of Human Services, resignation not in good standing.

Emke Onyejewke, Housing Manager, Newark Housing Authority, removal.

Derek Wright, Security Guard, Jersey City School District, suspension.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Marc Foote
City of East Orange
Police Department
Release at the end of the working test period

In the Matter of Alfonsie Holland
Trenton Psychiatric Hospital
Department of Human Services
Removal

In the Matter of Sharon Kennedy
Sharon Kennedy
City of Burlington
Department of Finance
Removals (2)

In the Matter of Jose Ortiz
New Jersey State Prison
Department of Corrections
Removal

In the Matter of Mark Patrick
City of East Orange
Police Department
Release at the end of the working test period

In the Matter of Bradley Pisker
Department of Transportation
Removal

In the Matter of Gerald E. Shuart
Ramapo College of New Jersey
Removal

In the Matter of Robert Simms
Garden State Youth Correctional Facility
Department of Corrections
Suspension

In the Matter of Marie Thomas
County of Mercer
Department of Human Services
Suspensions

In the Matter of Michael Thomas
County of Union
Department of Public Safety
Suspension

In the Matter of Brenda L. Tozer
Township of Lower
Department of Public Safety
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE
CASES – SETTLEMENT**

ACTION:

A-2 DOUGLAS CHILTON

Douglas Chilton, Senior Correction Officer, County of Burlington, County Jail, 60-day suspension on charges of incompetency, inefficiency or failure to perform duties, neglect of duty, and violations of policy and procedure, rules and regulations.

Recommendation of the Administrative Law Judge – Modify the 60-day suspension to a 30-day suspension.

ACTION:

A-3 MATTHEW IMPARATO

Matthew Imparato, Building Inspector, City of Atlantic City, Department of Neighborhood Services, 30-day suspension on charges of incompetency inefficiency and failure to perform duties, insubordination and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Increase the 30-day suspension to a six-month suspension with credit for 30 days already served.

ACTION:

A-4 BOBBY JORDAN

Bobby Jordan, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, 45-day suspension on charges of insubordination, intentional disobedience or refusal to accept an order, assaulting or resisting authority, disrespect, or use of insulting or abusive language to a supervisor.

Recommendation of the Administrative Law Judge – Uphold the 45-day suspension.

ACTION:

A-5 JOHN WALKER, JR.

John Walker, Jr., Senior Clerk, Mercer County Board of Social Services, return to formerly held permanent title of Clerk at the end of the working test period effective January 22, 2002.

Recommendation of the Administrative Law Judge – Uphold the return to formerly held permanent title at the end of the working test period.

ACTION:

A-6 MARTHA WASHINGTON

Martha Washington, Claims Examiner Unemployment and Disability Insurance, Department of Labor, return to formerly held permanent title of Unemployment Insurance Clerk at the end of the working test period effective March 30, 2003.

Recommendation of the Administrative Law Judge – Uphold the return to formerly held permanent title at the end of the working test period effective.

ACTION:

A-7 HENRIETTA BROWN

Henrietta Brown, Cottage Training Technician, Vineland Developmental Center, Department of Human Services, two removals effective November 21, 2003, on the charge of being absent from work as scheduled without permission.

Recommendation of the Administrative Law Judge – Dismiss the appeal as moot.

ACTION:

A-8 MICHAEL HUCHKO

Michael Huchko, Police Sergeant, Borough of Carteret, Police Department, removal January 24, 2002, on charges of, *inter alia*, incompetency inefficiency, or failure to perform duties, conduct unbecoming a public employee and violation of the Attorney General's guidelines regarding drug use.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:**A-9 LINDA KROMPHOLD**

Linda Kromphold, Security Guard, Jersey City School District, removal effective February 7, 2001, on charges of conduct unbecoming a public employee and inability to perform duties.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:**A-10 EDWARD PEARSON**

Edward Pearson, Human Services Assistant, Ancora State Hospital, Department of Human Services, removal effective January 7, 2003, on charges of inappropriate physical contact of a patient and verbal abuse of a patient.

Recommendation of the Administrative Law Judge – Uphold the removal.

A-11 KENNETH RANKIN

Kenneth Rankin, Police Officer, City of Newark, Police Department, removal effective April 23, 2001, the on charge of inability to perform duties.

Recommendation of the Administrative Law Judge – Modify the removal to a six-month suspension contingent upon appellant's ability to successfully complete a "fitness for duty" examination.

ACTION:**A-12 MARK STOKES**

Mark Stokes, Residential Living Specialist, Greystone Park Psychiatric Hospital, Department of Human Services, removal effective June 5, 2003 on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

B-1 ERIC W. BECK

Eric W. Beck, represented by Paul L. Kleinbaum, Esq., appeals his rejection as a Police Sergeant candidate by Rockaway Township and its request to remove his name from the eligible list for Police Sergeant (PM2563B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-2 DAVID BENAKSAS

David Benaksas, represented by Daniel J. Zirrieth, Esq., appeals his rejection as a Police Officer candidate by the Township of West Orange and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-3 DELORFETTE E. CLARK

Delorfette E. Clark appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections as its request to remove his name from the eligible list for Correction Officer Recruit (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-4 ROBERT DIBERNARD

Robert DiBernard appeals his rejection as a County Correction Officer candidate by the County of Warren and its request to remove his name from the eligible list for County Correction Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-5 CHANTA D. HUNTER**

Chanta D. Hunter, represented by Hassan Ibn Abdellah, Esq., appeals her rejection as a Police Officer candidate by the Borough of South Plainfield and its request to remove her name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-6 FRANK LORENZO**

Frank Lorenzo, represented by Sidney H. Lehmann, Esq., appeals his rejection as a Police Officer candidate by the City of Jersey City and its request to remove his name from the eligible list for Police Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-7 WILLIAM M. MCCANN**

William M. McCann, represented by Daniel J. Zirrieth, Esq., appeals his rejection as a Police Officer candidate by the Township of Irvington and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-8 SEAN P. MCGOVERN

Sean P. McGovern represented by D. Gayle Loftis, Esq., appeals his rejection as a Fire Fighter candidate by the City of Jersey City and its request to remove his name from the eligible list for Fire Fighter (M2054A) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-9 JERMAINE MCKINLEY**

Jermaine McKinley, represented by Mandy R. Steele, Esq., appeals his rejection as a County Correction Officer candidate by the County of Passaic and its request to remove his name from the eligible list for County Correction Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-10 CHRISTIAN NUNEZ**

Christian Nunez, represented by Paul W. Bergrin, Esq., appeals his rejection as a Police Officer candidate by the Township of West Orange and its request to remove his name from the eligible list for Police Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-11 JOHN SIRICO**

John Sirico, represented by Arlindo B. Araujo, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Morris and its request to remove his name from the eligible list for Sheriff's Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-12 PHILIP TURZANI, JR.

Philip Turzani, Jr., appeals his rejection as a Police Officer candidate by the City of Newark and its request to remove his name from the eligible list for Police Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-13 SHAUN WADE**

Shaun Wade, represented by David B. Beckett, Esq., appeals his rejection as a Sheriff's Officer candidate by the County of Hudson and its request to remove his name from the eligible list for Sheriff's Officer (S9999B) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:**B-14 BEVERLY RITORTO**

Beverly Ritorto, a Taxpayer Service Representative 2 with the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

ACTION:**B-15 ANILKUMAR SHAH**

Anilkumar Shah, a Principal Physical Therapist a Woodbridge Developmental Center, Department of Human Services, represented by Sarah A. Evans, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

ACTION:**B-16 CLAUDE CRESONG**

Claude Cresong appeals his non-selection from the eligible list for Police Sergeant (PM2552B), Township of Maple Shade.

ACTION:

B-17 PRAGNA JOSHI

Pragna Joshi appeals the determination of Human Resource Information Services, which found that the Department of Health and Senior Services had presented a sufficient basis to remove her name from the Accountant 3 (S6424C), Department of Health and Senior Services, eligible list on the basis that she lacked the required education.

ACTION:**B-18 SURINDER KAUR**

Surinder Kaur appeals the removal of her name from the eligible list for Librarian (M6023D), City of Camden, on the basis that she lacked the minimum requirements for the position.

ACTION:**B-19 STEPHEN KRAWIEC, ET AL.**

Stephen Krawiec, Jonas Weissbrod, and Lyra Williams appeal the appointing authority's request to remove their names from the eligible list for Program Development Specialist 2 (S6480C).

ACTION:**B-20 HARRY LUCAS**

Harry Lucas appeals the appointing authority's request to remove his name from the Budget Analyst 1 (S0167E), Department of Human Services eligible list, due to the appellant's failure to respond to the certification notice.

ACTION:**B-21 MICHAEL MILJENOVIC**

Michael Miljenovic, represented by Gary D. Tomasella, Esq., appeals the decision of Human Resource Information Services (HRIS), which upheld the bypass of his name on a certification for Police Sergeant (PM2529D), Borough of Lavallette, eligible list.

ACTION:

B-22 CHESTER SAMSEL III

Chester Samsel III, represented by Bruce D. Leder, Esq., appeals the decision of Human Resource Information Services, which upheld the removal of his name from the Correction Officer Recruit (S9999D), Department of Corrections, eligible list based on his falsification of his employment application.

ACTION:**B-23 JOEL TORRES**

Joel Torres appeals the removal of his name from the eligible list for Police Officer (S9999B), City of Newark, on the basis of an unsatisfactory driving record.

ACTION:**B-24 CODE ENFORCEMENT OFFICER, STANHOPE BOROUGH (M6023B AND M6470C)**

The appointing authority's failure to properly dispose of the certification for Code Enforcement Officer, while a provisional appointee is serving in the title, has been referred to the Merit System Board for enforcement.

ACTION:**B-25 ZONING OFFICER, STANHOPE BOROUGH (M6505C)**

The appointing authority's failure to properly dispose of the certification for Zoning Officer, while a provisional appointee is serving in the title, has been referred to the Merit System Board for enforcement.

ACTION:

B-26 FREDERICK LANCASTER

Frederick Lancaster, a Cottage Training Technician at Hunterdon Developmental Center, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:**B-27 DONNIE MCNEILL**

Donnie McNeill, Director of Custody Operations 1 at Riverfront State Prison, Department of Corrections (DOC), appeals the determination of the Assistant Director of the Equal Employment Division (EED) of the DOC, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:**B-28 JESUS ORTIZ**

Jesus Ortiz, a Senior Correction Officer at New Jersey State Prison, Department of Corrections (DOC), appeals the determination of the Assistant Director of the Equal Employment Division with the DOC, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:**B-29 MARK PIERCE**

Mark Pierce, a Trooper 1 with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Deputy Chief of Staff which found that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:**B-30 RUTH SPAE**

Ruth Spae, an Agent with the Motor Vehicle Commission, appeals the determination of the Director, Division of Civil Rights and Affirmative Action with the DOT, stating that there was probable cause to substantiate a finding that the appellant violated the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:

B-31 LAURIN STAHL

Laurin Stahl, a Program Support Specialist 1 (Assistance Programs) with the Division of Youth and Family Services, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources of DHS, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:

B-32 ANTOINETTE D'ANGELO

Antoinette D'Angelo, an Administrative Assistant 1 with the Higher Education Student Assistance Authority petitions the Merit System Board for relief pursuant to N.J.S.A. 11A:2-24 and N.J.A.C. 4A:2-5.1, et seq., from alleged reprisal by her employer.

ACTION:

B-33 JOSEPH SCHMIDT

Joseph Schmidt, a former Project Coordinator, Computer Planning and Information with the Higher Education Student Assistance Authority, petitions the Merit System Board for relief, pursuant to N.J.S.A. 11A:2-24 and N.J.A.C. 4A:2-5.1, et seq., from alleged reprisal by his employer.

ACTION:

B-34 FRANK DEBARTOLA

Frank DeBartola, a Police Officer with the Borough of Lodi, represented by Arnold Shep Cohen, Esq., seeks enforcement of the Merit System Board decision rendered on February 11, 2004 granting him back pay, benefits and seniority, and awarding him counsel fees.

ACTION:**B-35 JOYCE JANDOLA AND JEANETTE PANELLI**

Joyce Jandola, Education Program Development Specialist 1 and Jeanette Panelli, Education Program Development Specialist 2, Human Resource Development Institute (HRDI), Department of Personnel, both represented by Robert B. Rottkamp, Jr., Esq., request Merit System Board review of a three day and two day suspension, respectively, on sustained charges of violation of the State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION:**B-36 DEXTER CLIMESON**

Dexter Climeson, a former Senior Correction Officer, Juvenile Justice, with the Juvenile Justice Commission, represented by Charles J. Sciarra, Esq., petitions the Merit System Board for reconsideration of the final decision rendered on February 11, 2004, which upheld his removal.

ACTION:**B-37 RONALD DORN**

The appeal of Ronald Dorn, a Park Maintenance Worker with the Township of Pemberton, of his removal, effective January 22, 2003, on charges, was heard by Administrative Law Judge Daniel B. McKeown (ALJ), who rendered his initial decision on July 7, 2004. At its meeting on August 11, 2004, the Merit System Board did not adopt the ALJ's recommendation to uphold the removal. Rather, the Board modified the removal to a six-month suspension. The proposed decision is now submitted for the Board's review.

ACTION:

B-38 BARBARA GREEN

The appeal of Barbara Green, an Executive Assistant 2 with the Department of Corrections, of the determination of the Director, Equal Employment Division (EED) that she failed to present sufficient evidence that she was subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment and Hostile Environments in the Workplace, was heard by Administrative Law Judge (ALJ) Barry N. Frank, who rendered his initial decision July 2, 2004. At its meeting on August 11, 2004, the Merit System Board did not adopt the ALJ's recommendation to uphold the EED's determinations. Rather, the Board ordered that the matter be remanded to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Board's review.

ACTION:**B-39 VIRGINIA RYNONE**

The appeal of Virginia Rynone, a Recreation Assistant with the New Jersey Veterans' Memorial Home at Menlo Park, Department of Military and Veterans' Affairs, of her 20-day suspension beginning August 7, 2003, on charges, was heard by Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on June 15, 2004. At its meeting on August 11, 2004, the Merit System Board did not adopt the ALJ's recommendation to modify the 20-day suspension to a 15-day suspension. Rather, the Board modified the 20-day suspension to a written warning. The proposed decision is now submitted for the Board's review.

ACTION:**B-40 HUSAM ABDALLAH**

Husam Abdallah appeals the determination of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 2 (PS806K), Greystone Park Psychiatric Hospital.

ACTION:

B-41 MARIO ALEGRIA

Mario Alegria appeals the determination of the Division of Selection Services that he did not meet the education requirement for the open competitive examination for Probation Officer, Bilingual in Spanish and English (S0301F), Statewide.

ACTION:**B-42 GAIL ANDERSON**

Gail Anderson appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in education and/or experience for the promotional examination for the title of Supervisor of Senior Citizens Activities (PM1070E), Township of West Milford.

ACTION:**B-43 EVAN ASTRIN**

Evan Astrin appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the open competitive examination for Tax Services Specialist 3 (S690E), Department of the Treasury.

ACTION:**B-44 YOLANDA BICKHAM-DINKINS AND DEBBIE POLLACE**

Yolanda Bickham-Dinkins and Debbie Pollace appeal the determination of the Division of Selection Services, which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Building Management Technician, Labor (PS8904N), Department of Labor.

ACTION:

B-45 CALVIN BLACKSHEAR

Calvin Blackshear appeals the determination of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for Audiovisual Equipment Technician (PC0922E), Camden County.

ACTION:**B-46 FRANCES G. BOISSELLE**

Frances G. Boisselle appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience and/or education for the promotional examination for the title of Technical Support Specialist 2 (PS8838H), Department of Health and Senior Services.

ACTION:**B-47 SHERRY BROWN AND JOAN DEMAIO**

Sherry Brown and Joan DeMaio appeal the determination of the Division of Selection Services, which found that, per the substitution clause for education, they did not meet the experience requirements for the promotional examination for Administrative Assistant 3 (PS8628K), Division of Developmental Disabilities.

ACTION:**B-48 THELMA BRYANT-REESE**

Thelma Bryant Reese appeals the determination of the Division of Selection Services which found that she did not meet the experience requirement for the open competitive examination for Comptroller (M6400E), City of Camden.

ACTION:

B-49 RENEE BUGGS

Renee Buggs appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for the title of Principal Clerk Bookkeeper (PS9141I), State Parole Board.

ACTION:**B-50 PAULA BURNS AND CYNTHIA POLES**

Paula Burns and Cynthia Poles appeal the determinations of the Division of Selection Services that they did not meet the education and experience requirements for the promotional examination for Social Service Technician (PC0871E), Camden County Board of Social Services.

ACTION:**B-51 CHERYL BYE-ALBERTSON**

Cheryl Bye-Albertson appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirement for the open competitive examination for Medical Records Clerk, Typing (C0563E), Burlington County.

ACTION:**B-52 ALICE CHAMBLEY**

Alice Chambley appeals the determination of the Division of Selection Services, which found that, per the substitution clause for education, she did not meet the experience requirement for the open competitive examination for Investigator 2 (S0231E).

ACTION:**B-53 DETRIEA CHILDS-WYATT**

Detriea Childs-Wyatt appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for Deputy Municipal Court Administrator (PM1315E), Atlantic City.

ACTION:**B-54 AUSTIN CLARK**

Austin Clark appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirement for the open competitive examination for Executive Assistant (M6434E), Atlantic City.

ACTION:

B-55 CLIFFORD CULHANE

Clifford Culhane appeals the determination of the Division of Selection Services that he was ineligible for the promotional examination for Police Sergeant (PM2543D), Pemberton Township.

ACTION:

B-56 PETER DENNEN

Peter Dennen appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Senior Planner, Emergency Management (S6704E).

ACTION:

B-57 ELAINA DIBARTOLO

Elaina DiBartolo appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the open competitive examination for Program Development Specialist, Community Services (C6031E), Atlantic County.

ACTION:

B-58 MARY ANN D'ORIA

Mary Ann D'Oria appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for Management Specialist (PC1438D), Mercer County Board of Social Services.

ACTION:

B-59 LINDA M. DUBOIS

Linda M. DuBois appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for the title of Senior Training Technician (PS8306P), Department of Law and Public Safety.

ACTION:**B-60 OMAR FELICIANO**

Omar Feliciano appeals the determination of the Division of Selection Services that he did not meet the education requirement for the open competitive examination for Probation Officer, Bilingual in Spanish and English (S0301F), Statewide.

ACTION:**B-61 CESAR FERNANDEZ**

Cesar Fernandez appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Director, Community Development Program (M6380E), Union City.

ACTION:**B-62 RICHARD FERSTER**

Richard Ferster appeals the determination of the Division of Selection Services, which found that he did not meet the education requirements for the open competitive examination for Network Administrator 1 (C6970E), Monmouth County.

ACTION:

B-63 GREGORY FLETCHER, ET AL.

Gregory Fletcher appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the open competitive examination for Construction Management Specialist 4 (S6696E). Hitendra Gandhi appeals the determination of the Division of Selection Services, which found that he did not submit an evaluated foreign transcript and that he did not meet the experience requirements for the open competitive examination for Construction Management Specialist 4 (S6696E). Michael Mahoney and Douglas Willey appeal the determination of the Division of Selection Services, which found that they did not meet the education and experience requirements for the open competitive examination for Construction Management Specialist 4 (S6696E). Donald Rutter appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the open competitive examination for Construction Management Specialist 4 (S6696E).

ACTION:**B-64 CHRISTINE FLORIO**

Christine Florio appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the open competitive examination for the title of Program Development Specialist, Community Services (C6053E), Sussex County.

ACTION:**B-65 CAROL FRANCO**

Carol Franco appeals the determination of the Division of Selection Services, which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Management Assistant (PS8318P), Division of State Police.

ACTION:

B-66 JOE FRANKEN

Joe Franken appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the open competitive examination for Assistant Hospital Administrator (C6159F), Burlington County.

ACTION:**B-67 JAMES GRAHAM**

James Graham appeals the decision of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Affirmative Action Specialist (PM0006E), Jersey City.

ACTION:**B-68 KEVIN GREEN AND VICTORIA SUAREZ**

Kevin Green and Victoria Suarez appeal the determinations of the Division of Selection Services that they did not meet the experience requirements for the open competitive examination for Public Safety Telecommunicator (M0658F), Township of Teaneck.

ACTION:**B-69 JOSEPH GROARK**

Joseph Groark appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Assistant Engineer in Charge of Maintenance 1 (PS8245K), Woodbridge Developmental Center.

ACTION:**B-70 ANNMARIE HALDEMAN**

Annmarie Haldeman appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirements for the open competitive examination for Laboratory Technician (S0219E), State of New Jersey.

ACTION:**B-71 STEVEN HALL**

Steven Hall appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the open competitive examinations for Construction Code Inspector (S6702E) and Construction Code Inspector 2 (S6703E), Department of Community Affairs.

ACTION:

B-72 KATHLEEN HARRIS-SEIDLER

Kathleen Harris-Seidler appeals the decision of the Division of Selection Services which found that she did not meet the experience requirement for the promotional examination for Manager, Golf Facilities (PM1796E), Berkeley Township.

ACTION:

B-73 CRAIG HATCH

Craig Hatch appeals the decision of the Division of Selection Services, which found that he did not meet the residency requirement for the open competitive examination for Mechanic (M0013D), Marlboro Township.

ACTION:

B-74 CRISTINA HEREDIA

Christina Heredia appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in education and/or experience for the promotional examination for the title of Personnel Assistant 3 (PS9804F), Department of Education.

ACTION:

B-75 WILLIAM HOLLIS AND SANTIAGO ZAYAS

William Hollis and Santiago Zayas appeal the determination of the Division of Selection Services, which found that they did not meet the experience requirements for the open competitive examination for Construction Code Inspector 1 (S6702E), Department of Community Affairs.

ACTION:

B-76 MARIA HOUGH

Maria Hough appeals the determination of the Division of Selection Services that she did not meet the requirements for the open competitive examination for Senior Clerk Typist (PS0111K), Department of Human Services.

ACTION:

B-77 AUDRAE B. HOWLETT AND ARMINDA RODRIGUES

Audrae B. Howlett and Arminda Rodrigues appeal the determinations of the Division of Selection Services, which found that they did not meet the experience requirements for the promotional examination for Senior Clerk Transcriber (PC0840E), Union County.

ACTION:

B-78 MARION JANUSZ

Marion Janusz appeals the determination of the Division of Selection Services, which found that she was below the minimum in requirements in experience for the open competitive examination for the title of Supervisor of Accounts (S8001E), State of New Jersey.

ACTION:

B-79 ROBERT C. KALBFELL, JR.

Robert C. Kalbfell, Jr. appeals the determination of the Division of Selection Services, which found that he did not provide a transcript or list of courses and credits required to evaluate education for the open competitive examination for Laboratory Technician (S0219E), State of New Jersey.

ACTION:

B-80 CHARLES KELLEHER

Charles Kelleher appeals the determination of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for the title of Supervisor of Public Works (PM1262E), City of Wildwood.

ACTION:

B-81 DONNA MANSILLA

Donna Mansilla appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the

promotional examination for Management Assistant (PS8826H), Health and Senior Services.

ACTION:

B-82 JANICE MCFADDEN

Janice McFadden appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the open competitive examination for Social Service Aide (S0296E), State of New Jersey.

ACTION:

B-83 KATHLEEN MACLEOD

Kathleen MacLeod appeals the determination of the Division of Selection Services that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Personnel Officer (PC1150E), Cape May County.

ACTION:

B-84 SHANNON PAYNE

Shannon Payne appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the open competitive examination for Program Development Specialist, Community Services (C6031E), Atlantic City.

ACTION:

B-85 HOPE PERRY

Hope Perry appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for Technician, Management Information System (MIS) (PS8230K), Department of Human Services.

ACTION:**B-86 RAMONA PETERSON**

Ramona Peterson appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Technical Support Specialist 1 (PS8685P), Department of Law and Public Safety.

ACTION:**B-87 RYAN PLANTIER**

Ryan Plantier appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Senior Rehabilitation Counselor, Mental Health (S0253E), Department of Human Services.

ACTION:**B-88 SHAUN REILLY, ET AL.**

Shaun Reilly, Johnny Sanchez, Louis Severino, and Joseph Vivenzio appeal the determination of the Division of Selection Services, which found that they did not meet the experience requirements for the open competitive examination for Inspector, Multiple Dwelling (S0230E), Department of Community Affairs.

ACTION:

B-89 VERLINA REYNOLDS

Verlina Reynolds appeals the determination of the Division of Selection Services, which found that she did not meet the experience requirement for the open competitive examination for Coordinator for Federal and State Aid (M6420E), Jersey City.

ACTION:**B-90 BRANDON RIOS**

Brandon Rios appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Administrative Analyst 2 (Data Processing) (PS7923Q), Office of the Public Defender.

ACTION:**B-91 STEVEN ROSS**

Steven Ross appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the open competitive examination for Assistant Business Administrator (M6867D), Long Branch City.

ACTION:**B-92 PATRICIA RUGGIERO**

Patricia Ruggiero appeals the determination of the Division of Selection Services that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Assistant Superintendent of Recreation (PM1603D), City of Hackensack.

ACTION:

B-93 DOROTHY SEITZ

Dorothy Seitz appeals the determination of the Division of Selection Services, which found that, per the substitution clause for education, she did not meet the experience requirement for the promotional examination for Senior Technician Management Information Systems (PS7862K), Division of Family Development.

ACTION:**B-94 DANIEL SHINE, JR.**

Daniel Shine, Jr., appeals the determination of the Division of Selection Services that, per the substitution clause for education, he did not meet the experience requirement for the open competitive examination for Highway Safety Specialist (S0201E), Department of Law and Public Safety.

ACTION:**B-95 KARL THOMAS**

Karl Thomas appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirement for the promotional examination for Computer Operator 1 (PS9365K), Division of Youth and Family Services.

ACTION:**B-96 RAJUMON THOMAS**

Rajumon Thomas appeals the determination of the Division of Selection Services, which found that he did not meet the experience requirements for the open competitive examination for Tax Services Specialist 3 (S6690E), Department of the Treasury.

ACTION:

B-97 SHARON TIESI

Sharon Tiesi appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements for the promotional examination for Grants Manager (PS7874K), Department of Human Services.

ACTION:**B-98 SUSAN UHLAND**

Susan Uhland appeals the determination of the Division of Selection Services, which found that she was below the minimum requirements in experience for the promotional examination for Cook (PS0082K), New Lisbon Developmental Center.

ACTION:**B-99 FERNANDO URIBE, JR.**

Fernando Uribe, Jr., appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the open competitive examination for Consultant on Aging (C6020E), Hudson County.

ACTION:**B-100 DENNIS VISCOMI**

Dennis Viscomi appeals the determination of the Division of Selection Services, which found that he was below the minimum requirements in experience for the promotional examination for the title of Assistant Public Works Superintendent (PM1416E), Town of Phillipsburg.

ACTION:**B-101 ANNA WAINRIGHT**

Anna Wainright appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the open competitive examination for Assistant Business Administrator (M6867D), Long Branch City.

ACTION:**B-102 CURTIS WILLIAMS**

Curtis Williams appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Crew Supervisor Locksmiths (PS7830K).

ACTION:

B-103 ROBYN WRAMAGE-CAPOROSO

Robyn Wramage-Caporoso appeals the determination of the Division of Selection Services, which found that she was below the minimum in experience for the promotional examination for the title of Section Chief Health Care Facility Rehabilitation/Professional Services (PS9051K), Department of Human Services.

ACTION:

B-104 GEORGE BRANDT, ET AL.

George Brandt, Shelve Brennen, Dennis Catalina, Kenneth Genco, June Mills, Marc Piccini and Marie Santa appeal their scores on the promotional examination for Senior Building Maintenance Worker (PC1193D), Ocean County.

ACTION:

B-105 DOUGLAS CRAIG AND PAUL KOCH

Douglas Craig and Paul Koch appeal their scores on the promotional examination for Assistant Crew Supervisor, Mechanics (PS6688U), Department of the Treasury.

ACTION:

B-106 JOSEPH DELIKAT

Joseph Delikat appeals his score for the physical performance portion of the Fire Fighter (M9999A) examination.

ACTION:

B-107 ZARA FLORES

Zara Flores appeals her score on the bilingual skills portion of the examination for Field Representative, Disease Control, Bilingual in Spanish and English (C0033D), Hudson County.

ACTION:

B-108 GREGG GILDEN

Gregg Gilden appeals the decision of the Division of Selection Services concerning the correct answers to specific questions on the open competitive examination for Training Assistant, Human Services (S0118D).

ACTION:

B-109 JOTHAM MUTANGA

Jotham Mutanga appeals his score for the open competitive examination for Family Service Specialist 2 (S6753F), Division of Youth and Family Services.

ACTION:

B-110 JOSEPH VEINTIMILLA

Joseph Veintimilla appeals the scoring of the open competitive examination for Fire Fighter (M2286E), Jersey City.

ACTION:

B-111 LIONEL DELIZ

Lionel Deliz, represented by David Fox, Esq., appeals the administration of the open competitive examination for Fire Fighter (M9999E).

ACTION:

B-112 JOSEPHINE FABER

Josephine Faber requests a make-up for the promotional examination for Supervising Health Care Evaluator (PS7734H), Department of Health and Senior Services.

ACTION:**B-113 DEBRA MORGAN**

The Director, Division of Human Resource Management, on behalf of the Department of Health and Senior Services, requests that Debra Moran's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Network Administrator 2, Department of Health and Senior Services.

ACTION:**B-114 ELIZABETH ZUKOSKI**

The Director, Division of Human Resource Management, on behalf of Warren County, requests that Elizabeth Zukoski's out-of-title work experience be accepted to qualify her for a prospective promotional examination for Supervisor of Accounts, Warren County.

ACTION:**B-115 JUDITH M. BERNAL**

Judith M. Bernal appeals the determination of the Division of Selection Services, which rejected her application for the promotional examination for Human Services Specialist 2, Bilingual in Spanish & English (PC1273E), Bergen County, due to an untimely filing of the application materials.

ACTION:**B-116 DANIA GARCIA**

Dania Garcia requests that the provisions of N.J.A.C. 4A:4-2.1(e) be relaxed to accept her late application postmarked after the announced closing date for Senior Clerk (PM0486F), Morristown.

ACTION:**B-117 JEROME JAMES**

Jerome James appeals the determination of the Division of Selection Services which found that he filed a late application postmarked after the announced closing date for the promotional examination for Heavy Equipment Operator (PS4435), Department of Transportation.

ACTION:

B-118 TIMOTHY STRANDBERG

Timothy Strandberg appeals the determination of the Division of Selection Services, which found that he did not file a timely application for the promotional examination for Park Maintenance Worker (PM1149E), Parks and Recreation, Middletown Township.

ACTION:

B-119 JOEL TORRES

The Passaic County Sheriff's Office requests that Joel Torres receive a retroactive date of appointment.

ACTION:

B-120 NUNO CARVALHO

The City of Plainfield requests administrative relief so as to permit the intergovernmental transfer of Nuno Carvalho from the title of Sheriff's Officer, Union County Sheriff's Office, to the title of Police Officer, City of Plainfield.

ACTION:

B-121 DINO COLAROCCO

The Township of Freehold requests administrative relief in order to process the Intergovernmental Transfer of Dino Colarocco from the title of Senior Public Works Inspector, Hamilton Township to the title of Assistant Public Works Superintendent, Township of Freehold.

ACTION:

B-122 DAWN MCDONOUGH

The Department of Environmental Protection appeals the determination of the Director, Office of Intergovernmental Services that it could not process the intergovernmental transfer of Dawn McDonough from the title of Sheriff's Officer, Salem County, to the title of Ranger, Department of Environmental Protection.

ACTION:**B-123 ALLEN CHENG, ET AL.**

Allen Cheng, Girija Mallenpalle, David McPartland, Harold Nebling, and Nicholas Zripko, represented by Adam Liebttag, Staff Representative for the Communications Workers of America (CWA) Local 1034, petition the Merit System Board for reconsideration of its final administrative decision in *In the Matter of Allen Cheng, et al., Supervising Environmental Specialist, Water Resources (PS4827G), Department of Environmental Protection* (Merit System Board, decided August 21, 2003), which found that they lacked the requisite experience for the promotional examination for Supervising Environmental Specialist, Water Resources (PS4827G), Department of Environmental Protection.

ACTION:**B-124 MICHAEL HRBEK**

Michael Hrbek requests reconsideration of the final administrative determination in *In the Matter of Michael Hrbek, Director of Purchasing (PM0786E), Middletown Township* (Decided June 23, 2004).

ACTION:**B-125 SYLVESTER LEE**

Sylvester Lee requests reconsideration of the final administrative determination in *In the Matter of Sylvester Lee, Fire Captain (PM3589A), Newark* (Merit System Board, decided May 29, 2002) which denied his appeal regarding his score on the oral portion of the subject examination.

ACTION:

B-126 THOMAS LEWIS

Thomas Lewis, represented by Robert O. Yeager, Staff Representative, Communications Workers of America (CWA) Local 1034, petitions the Merit System Board for reconsideration of the decision rendered on June 23, 2004, *In the Matter of Glenn Douglass and Thomas Lewis*, which found that, per the substitution clause for education, he did not meet the experience requirements for the promotional examination for Industrial Manager 2, State Use Industries (PS7400I), South Woods State Prison.

ACTION:**B-127 HENRY J. SZWALEK**

Henry J. Szwalek petitions the Merit System Board for reconsideration of the final administrative decision in *In the Matter of Henry J. Szwalek, Supervisor, Public Works (PM2037D), City of Passaic* (Merit System Board, decided September 3, 2003), which found that he did not meet the experience requirements for the promotional examination for Supervisor, Public Works (PM2037D), City of Passaic.

ACTION:**B-128 JENNIFER MESSINA**

Jennifer Messina appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Social service Technician (PC0871E), Camden County Board of Social services.

ACTION:**B-129 PROPOSED AMENDMENTS TO N.J.A.C. 4A:1-1.3, 4A:4-2.11, 4A:7-1.1 AND 4A:7-3.1 (DOMESTIC PARTNERSHIPS)**

It is recommended that the proposed amendments to N.J.A.C. 4A:1-1.3, 4A:4-2.11, 4A:7-1.1 and 4A:7-3.1 (Domestic Partnerships) be approved for publication in the New Jersey Register and on the Department's web site for public notice and comment.

ACTION:

B-130 PROPOSED AMENDMENTS TO N.J.A.C. 4A:6-1.22 (DONATED LEAVE)

It is recommended that the proposed amendments to N.J.A.C. 4A:6-1.22 (Donated Leave) be approved for publication in the New Jersey Register and on the Department's web site for public notice and comment.

ACTION:**B-131 PROPOSED AMENDMENTS TO N.J.A.C. 4A:6-2.2A (4L WORKWEEK)**

It is recommended that the proposed amendments to N.J.A.C. 4A:6-2.2a (4L Workweek) be approved for publication in the New Jersey Register and on the Department's web site for public notice and comment.

ACTION:**B-132 MERIT SYSTEM BOARD MINUTES**

The minutes of the Merit System Board meeting of August 11, 2004 are submitted for adoption.

ACTION:

Deleted: examination